



The Commonwealth of Massachusetts
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Memorandum

TO: All Health Care Providers and Health Care Facilities

FROM: Elizabeth Kelley, MPH, MBA, Director, Bureau of Health Care Safety and Quality
James Lavery, JD, Director, Bureau of Health Professions Licensure
George Zachos, JD, Executive Director, Board of Registration in Medicine

DATE: May 18, 2020

RE: Urgent Elective Invasive Procedures during Reopening Phase 1: Start

The Massachusetts Department of Public Health (DPH) continues to work with state, federal and local partners on the outbreak of Coronavirus Disease 2019 (COVID-19), caused by the virus SARS-CoV-2, and we continue to appreciate the essential role you have in responding to this evolving situation. This memorandum supersedes the [DPH memorandum issued March 15, 2020](#). All health care providers should continue to use their clinical judgment on a case by case basis and perform invasive procedures that must be done to preserve a patient's life and health. This memorandum outlines the conditions that must be met and the procedures that must be followed prior to a health care provider resuming limited elective procedures and preventative care, as authorized by the May 18, 2020 Order of the Commissioner of Public Health Regarding the Scheduling and Performance of Urgent Elective Invasive Procedures.

Effective May 18, 2020, acute care hospitals, federally qualified health centers, and hospital-licensed health centers ("CHC") who attest to meeting specific capacity criteria and public health safety standards outlined in DPH Reopen Approach for Acute Care Hospitals guidance and Reopen Approach for Health Care Providers (Providers that are Not Acute Care Hospitals) guidance, as applicable, and submit the required attestation form to the Department may resume urgent elective invasive procedures that, in the clinical judgment of the health care provider, constitute:

- High-priority preventative services, including pediatric care and immunizations, that cannot be provided safely and appropriately via telehealth, recognizing that telehealth may not be feasible or clinically appropriate for all patients.
- Urgent procedures and services that cannot be delivered remotely and would lead to high risk or significant worsening of the patient's condition if deferred.

Acute care hospitals must submit the Acute Care Hospital Phase 1 Reopen Attestation, attached to this memorandum, to DPH before resuming such urgent elective invasive procedures. Acute care hospitals must submit the attestation via DPH's secure reporting web-based portal, the Health Care Facility Reporting System (HCFRS). Acute care hospitals should upload the completed attestation as a new incident case, under the incident type "Phase 1 Attestation" and then submit it.

Prior to resuming such urgent elective invasive procedures between May 18, 2020 and May 24, 2020, the CHC must complete and submit to DPH the Health Care Provider attestation form and submit their attestation to DPH before resuming urgent elective invasive procedures. The submission should be emailed to DPH.BHCSQ@MassMail.State.MA.US with the title "Phase 1 Attestation-Your CHC Name" and the attestation included as an attachment.

Effective May 25, 2020, all other health care providers who attest to meeting specific capacity criteria and public health safety standards outlined in Reopen Approach for Health Care Providers (Providers that are Not Acute Care Hospitals) guidance and complete the required attestation form may resume urgent elective invasive procedures that, in the clinical judgment of the health care provider, constitute:

- High-priority preventative services, including pediatric care and immunizations, that cannot be provided safely and appropriately via telehealth, recognizing that telehealth may not be feasible or clinically appropriate for all patients; or
- Urgent procedures and services that cannot be delivered remotely and would lead to high risk or significant worsening of the patient's condition if deferred.

Health care providers must complete the Health Provider Phase 1 Reopen Attestation before resuming such urgent elective procedures and have it readily available to provide to DPH upon request.

Examples of urgent elective invasive procedures may include but are not limited to:

- Removal of malignant skin lesions
- Orthopedic procedures for significant functional impairment or at risk of significant worsening condition
- Tooth extractions for significant infections
- Placement of implantable contraception
- Colonoscopy for blood in stool
- Biopsy for concerning lesions/ potential cancers

Urgent elective invasive procedures do not include cosmetic surgeries, bariatric surgery, and other elective procedures including most elective joint replacement or back surgeries, ear tube placements, tonsillectomies, and cataract procedures for individuals not at high risk.

DPH strongly encourages all hospitals in Massachusetts to monitor the Centers for Medicare & Medicaid Services (CMS) website and the Centers for Disease Control and Prevention (CDC) website for up-to-date information and resources:

- CMS website: <https://www.cms.gov/About-CMS/Agency-Information/Emergency/EPRO/Current-Emergencies/Current-Emergencies-page>
- CDC website: <https://www.cdc.gov/coronavirus/2019-ncov/healthcare-facilities/index.html>

Additionally, please visit DPH's website that provides up-to-date information on COVID-19 in Massachusetts: <https://www.mass.gov/2019coronavirus>.